IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.666 OF 2005

Gopichand Adhar Patil ..Petitioner.

Versus

Union of India ..Respondents.

Mr. Sachin Pande for the Petitioner.
None for the Respondents.

CORAM: DALVEER BHANDARI, C.J. &
S.J. VAZIFDAR, J.
DATE : 13TH JULY, 2005

P.C.

In this Petition, the Petitioner is aggrieved by the commercial stalls which have been constructed on the Railway Platforms such as Book Stalls, STD Stalls, Food Stalls, Fruit Stalls etc. The Petitioner submits that structures of this nature on the platforms of Suburban Stations are unconstitutional and violate the fundamental rights of the passengers and prays that the Respondents be directed to remove the same. The Petitioner has also prayed that this Court should also restrain the Respondents, their

agents, servants, licensees, permit holders not to conduct any business on the platforms of Suburban Railway Stations.

2. We have heard the learned Counsel appearing for the Petitioner. These stalls, such as the Book Stalls, STD Booths, Food Stalls etc. are, in fact, meant for the benefit of the public at large. They have not been constructed for carrying out commercial activity alone. We fail to comprehend how the passengers' fundamental rights are violated by Book Stalls/STD Booths/Food Stalls on Railway Platforms.

3. We do not find any merit in this Writ Petition. The same is accordingly dismissed.

CHIEF JUSTICE

S.J. VAZIFDAR, J.